



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Σ f w

In re application of: Atsushi KOYAMA et al.

Attorney Docket No. P25239

Application No. : 10/829,266

Mail Stop Amendment

Group Art Unit : 1772

Filed : April 22, 2004

Examiner : Brent O'HERN

For : INFORMATION RECORDING MEDIUM PREFORM, METHOD OF MANUFACTURING AN
 INFORMATION RECORDING MEDIUM, AND MANUFACTURING APPARATUS FOR AN
 INFORMATION RECODING MEDIUM

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop Amendment

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Sir:

Transmitted herewith is a **Response to Restriction Requirement, with Traverse** in the above-captioned application.

☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

☐ A Request for Extension of Time.

☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 8	*20	0	x25=	\$	x 50=	\$0.00
Indep. Claims: 3	**3	0	x100=	\$	x200=	\$0.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$0.00
Extension Fees for __ Month(s)				\$		\$0.00
Total:				\$	Total:	\$0.00

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

N/A A check in the amount of \$ ____ to cover the filing/extension fee is included.

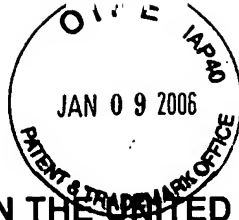
☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Bruce H. Bernstein
 Bruce H. Bernstein
 Reg. No. 29,027

Steven Wegman
 Steven Wegman
 Reg. No. 31,438



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Atsushi KOYAMA et al.

Group Art Unit: 1772

Appln. No. : 10/829,266

Examiner: Brent O'HERN

Filed : April 22, 2004

Confirmation No.: 6444

For : INFORMATION RECORDING MEDIUM PREFORM, METHOD OF
MANUFACTURING AN INFORMATION RECORDING MEDIUM,
AND MANUFACTURING APPARATUS FOR AN INFORMATION
RECORDING MEDIUM

RESPONSE TO RESTRICTION REQUIREMENT, WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

ELECTION

In response to the Examiner's restriction requirement of December 7, 2005, in which the one month shortened statutory period for filing a response thereto runs to January 9, 2006 (January 7, 2006 being a Saturday), Applicants elect, with traverse, invention I, including claims 1-6, directed to an information recording preform used to manufacture an information recording medium.

TRAVERSE

Applicants respectfully traverse the Examiner's restriction requirement.

The standard by which the U.S. Patent and Trademark Office guides Examiners in requiring restriction under 35 U.S.C. §121 is set forth in M.P.E.P. Chapter 800. Section 803 states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."


Applicants respectfully submit that it would appear that the search for the inventions identified by the Examiner are coextensive. Therefore, when the Examiner performs a search for invention I, it would not be a serious burden to continue the examination of the remaining inventions in this application. Specifically, elected invention I is directed to an information recording preform for manufacturing an information recording medium. Applicants submit that it would not be a serious burden to additionally search invention II, directed to a method of manufacturing an information recording medium that uses the information recording preform, and invention III, which is directed to a manufacturing apparatus that forms an information recording medium using the information recording preform.

Therefore, due to an apparent lack of a serious burden, as recognized in M.P.E.P. §803 as being a prerequisite to a proper restriction requirement, and due to the fact that the Office action fails to even address the issue of a serious

burden, Applicants respectfully request that the restriction requirement be withdrawn.

For the foregoing reasons, Applicants respectfully request the restriction requirement be reconsidered and withdrawn. Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,
Atsushi KOYAMA et al.



Bruce H. Bernstein
Reg. No. 29,027

Steven Wegman
Reg. No. 31,438

January 9, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191